

**TREMONTON CITY CORPORATION  
CITY COUNCIL MEETING  
May 20, 2014**

Members Present:

Diana Doutre

Lyle Holmgren (arrived at 6:05 p.m.)

Jeff Reese, Mayor Pro Tempore

Bret Rohde

Byron Wood

Shawn Warnke, City Manager

Darlene S. Hess, Recorder

**CITY COUNCIL WORKSHOP**

Mayor Pro Tempore Reese called the May 20, 2014 City Council Workshop to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Pro Tempore Reese, Councilmembers Doutre, Holmgren, Rohde, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Mayor Fridal was excused.

1. Update on the UTOPIA Network Public Private Partnership with Macquarie Capital including a potential discussion of the Milestone One Report prepared by Macquarie Capital and consideration of a process whereby the City Council can make a decision regarding participating in Milestone Two of the Predevelopment Agreement between UTOPIA (and Tremonton City as a UTOPIA member city) and Macquarie Infrastructure Development LLC. Discussion may include consideration of future public meetings and outreach to the public of the findings contained in aforementioned Milestone One Report

Manager Warnke explained that the UTOPIA cities Midvale, West Valley, and Layton are planning on accepting the Opt-In Resolution to participate in Milestone Two by the end of May. Some cities are moving forward without facilitating a lot of meetings to inform the public. Brigham had one meeting and will host another with Duncan Ramage from Macquarie presenting material. Manager Warnke stated that he attended the first meeting Brigham held and noted that Jason Roberts with Brigham City did a good job. Brigham advertised electronically on Facebook and their website, and posted the time and date in the paper. There were approximately 100 people in attendance, and the concern was the fee that would be charged to residents. Brigham reviewed the history of UTOPIA and explained the other options that were available.

Mr. Ramage is scheduled to come to Tremonton June 4<sup>th</sup>. Manager Warnke noted that the City is looking for a venue to hold the presentation, possibly the High School Auditorium. The Council discussed different options for notifying the public about the upcoming presentation. City Councilmember Doutre recommended that the information

be advertised on the Recreation sign by the hospital. Manager Warnke stated that postcards could be sent out. John Kitch with Bear River Valley Chamber of Commerce (BRVCC) said he would include it on the BRVCC Facebook page and website. Mr. Kitch recommended advertising the presentation on the Tremonton Classifieds on Facebook. Councilmember Rohde stated that Councilmembers could post the information to their websites relating to Tremonton City, and direct people to the [gofiberutah.com](http://gofiberutah.com) website and the FAQ. Manager Warnke explained that another option would be for City Treasurer Oyler to send an email to residents.

The Councilmembers would like to permit the public to ask questions and submit comments, but it would need to be structured and stay on track. If everyone speaks at once and talks over one another it would not be a productive presentation. Councilmember Holmgren wondered if the public should submit their questions in writing. Councilmember Rohde suggested setting a specific time to close the presentation. A timer with the allotted time per speaker could be set up and when the timer beeps the speaker must be finished. Councilmember Reese stated that people should be allowed to express their comments without being criticized by others.

Public Works Director Fulgham asked if the City could use a company like Survey Monkey to gather feedback from the community. Councilmember Rohde acknowledged that a Survey Monkey site would be free to the City for up to 100 surveys. This would give people that might not come to the meeting a chance to express their opinion.

Manager Warnke noted that the public hearing would be held at a regular City Council meeting. It was suggested that the public hearing be for comments not questions. The Council agreed to facilitate a community outreach presentation on June 4<sup>th</sup> with Mr. Ramage and have a public hearing on June 17<sup>th</sup>. If the public hearing goes well, the Council could vote that night on the resolution, if not then a special meeting would be held to vote. The Council thought an informative postcard with references to websites would be a good approach to notifying the public of the June 4<sup>th</sup> presentation.

Councilmember Wood had questions about the City being held harmless in regards to lawsuits. The concern is if Macquarie will pay for legal costs associated with the City. There is not a clear cut answer to that question. Councilmember Holmgren noted that more questions will be answered when Milestone Two comes.

2. Review of agenda items on the 7:00 p.m. Council Meeting:

The Council reviewed the May 20, 2014 Agenda with the following items being discussed in more detail:

**Public hearing to adopt Tentative Annual Budget 2014-2015.** Manager Warnke included all changes in the staff report (they are underlined) in the Tentative Annual Budget. Finance Director Curtis Roberts reviewed the Tentative Annual Budget. Director Roberts thought that the City was in a financial position to move forward with

the expenditures relating to the upgrades Waste Water Treatment Plant Fund; however, Director Roberts though. The expenses will put the City in a more pressing situation to increase the utility fees.

Manager Warnke included in the budget funds received from grants for Logo/Marketing at \$3K and the City must match it 1:1. The CIB Funds have the full amount of \$17.5K and it is also a 1:1 match for the City. Manager Warnke spoke with Mark Kopatz out of Denver. Mr. Kopatz's firm was bought out by a group called Stanley. Mark Kopatz did work for the Ranches in Eagle Mountain, redeveloped City offices in West Valley City, and created Saratoga Springs Logo. They could refresh Tremonton's Logo and advice on how to apply the Logo in the entryway sign and signs for parks. The Council would like Manager Warnke to continue discussions with this company.

Manager Warnke noted that FY 2014 Budget appropriated \$50K to RDA No. 2 or Fund 71 – Downtown. The City could do some pilot programs such as matching grants for façade, signage, or improving one entryway sign. Currently this RDA fund does not receive tax increments; the only way for this Fund to receive revenue is to transfer money from the General Fund. If a community development project area is created the fund has the potential to start receiving increments. Councilmember Wood would recommend holding off on the \$50K or any amount for this until at least the end of the year.

**Resolution No. 14-26.** Councilmember Rohde will not participate in the discussion tonight as he has a conflict of interest. Mark Johnson with GBS explained that they received quotes from six carriers which include a traditional plan and a qualified high deductible plan with an HSA (Health Savings Account). It was decided to not use the qualified high deductible plan this year, but it will probably be coming down the road. Manager Warnke spoke with Mr. Johnson about providing education about a high deductible plan shortly after open enrollment. As it takes time to understand, the City will hold several meetings to discuss HSA with employees. Mr. Johnson stated that the City currently has an HRA (Health Reimbursement Account).

Mr. Johnson noted that Altius originally came back with a 17.22% increase. GBS negotiated with Altius to reduce that increase to 10.2%. GBS thought that was too high still and went out for more bids receiving one from Select Health of -0.51% increase. Select Health will have a different network of providers, but the employees should not see much of a change in the providers. However, Select Health is not as user friendly with the Brigham City Hospital. Select Health has a lower individual and family deductible amount. Mr. Johnson stated that there is an app available to find the cheapest place to buy your prescription.

The City currently uses EMI for dental insurance. EMI asked for a 6.18% increase. This increase very close to the average and the City will stay with EMI. Lincoln Financial provides basic life insurance to the City and does not recommend an increase. The City provides basic life insurance for \$50K, \$50K for accidental death and dismemberment, \$5K for spouse and \$2,500 for each child. Lincoln Financial also provides long term

disability for the City. It will pay up to 66 2/3% of wages if someone becomes disabled. No increase on long term disability coverage.

The City's vision plan is with Opticare of Utah. The medical insurance through the City provides for an annual eye exam with Select Heath. Opticare of Utah will pay for lenses, frames and contact lenses every twelve months. Opticare of Utah is proposing a 5.9% increase. Mr. Johnson explained that it is still a low premium for the benefit provided.

The flexible spending/cafeteria plan allows employees to shelter out expenses pre-tax dollars. It is provided through NBS (National Benefits Services) at little cost to the City.

Manager Warnke noted that with Altius the HRA was administered as part of the Altius program, but now that the City is contemplating switching to Select Health a new administrator would need to be selected. NBS has been designated to handle the Flex Spending and the HRA. Manager Warnke explained that premiums for voluntary insurance such as Aflac and Prepaid Legal have been payroll deductions. Manager Warnke asked GBS to be the administrator for the voluntary insurances going forward. GBS shopped for group insurance and the City will change from Aflac to Allstate. Mr. Johnson stated that Allstate would have plans for accident and critical illness. Any employees currently using Aflac could continue to use them, but would need to manage premiums on their own.

The meeting adjourned at 7:00 p.m. by consensus of the Council.

## **CITY COUNCIL MEETING**

Mayor Pro Tempore Reese called the May 20, 2014 City Council Meeting to order at 7:05 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Pro Tempore Reese, Councilmembers Doutre, Holmgren, Rohde, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Mayor Fridal was excused.

### **1. Opening Ceremony:**

Mayor Pro Tempore Reese informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Councilmember Rohde and the Pledge of Allegiance was led by Councilmember Wood.

### **2. Introduction of guests:**

Mayor Pro Tempore Reese welcomed fourteen scouts and two leaders in Troop 137 from Bothwell. The scouts and leaders were commended for coming to City Council tonight and encouraged the boys to become Eagle Scouts.

3. Approval of Agenda:

Mayor Pro Tempore Reese asked if there were any changes or corrections to the Agenda.

**Motion by Councilmember Wood to approve the agenda of May 20, 2014 with the deletion of 7b.** Motion seconded by Councilmember Doutre. Vote: Mayor Pro Tempore Reese - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – May 6, 2014:

Mayor Pro Tempore Reese asked if there were any changes to the minutes.

**Motion by Councilmember Doutre to approve the minutes of May 6, 2014 with the following correction: Director Christensen needs to be changed to Zach LeFevre at the top of page 14.** Motion seconded by Councilmember Holmgren. Vote: Mayor Pro Tempore Reese - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

Buster Marble commented that the parks are looking good, especially the changes to North Park. It is good to see that it is being taken care of.

6. Public Hearing:

Mayor Pro Tempore Reese called a Public Hearing to order at 7:12 p.m. to consider adopting the 2014-2015 Tentative Annual Budget. There were 21 people in attendance.

- a. To consider adopting the Tentative Annual Budget entitled "The Tremonton City Annual Implementation Budget 2014-2015 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Funds)", for the period commencing July 1, 2014 and ending June 30, 2015

Manager Warnke explained that every year the City goes through a budgeting process. The budget includes funds that come from sales and property tax, and user fees. All funds combined have approximately \$8M. Manager Warnke gave the following estimates for some of the departments: Police Department \$1M, Recreation \$200K, Fire Department (including ambulance services) \$600-700K, Sewer and Water \$1M.

There were no public comments. Mayor Pro Tempore Reese closed the Public Hearing at 7:15 p.m.

7. New Council Business:

- a. Discussion and consideration of approving the April 2014 Warrant Register.

**Motion by Councilmember Holmgren to approve the April 2014 Warrant Register.** Motion seconded by Councilmember Wood. Vote: Mayor Pro Tempore Reese - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of approving the April 2014 Financial Statement.

This agenda item was deleted from this evening's agenda.

- c. Discussion and consideration of adopting Resolution No. 14-25 approving Tentative Annual Budget entitled "The Tremonton City Annual Implementation Budget 2014-2015 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Funds)", for the period commencing July 1, 2014 and ending June 30, 2015

Councilmember Doutre thought Manager Warnke did a good job on the budget. It is a huge budget, but he does a good job.

**Motion by Councilmember Doutre to approve the Tentative Budget entitled the Tremonton City Annual Implementation Budget 2014-2015.** Motion seconded by Councilmember Holmgren. Roll Call Vote: Mayor Pro Tempore Reese - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 14-26 selecting health insurance carriers and defining the City contribution for health insurance benefits for the 2014-2015 fiscal year

Manager Warnke commented that Resolution No. 14-26 does not include selecting NBS as the City's HRA administrator. Councilmember Rohde declared a conflict of interest on Resolution No. 14-26.

**Motion by Councilmember Holmgren to adopt Resolution No. 14-26 and amend it that NBS is the administrator for the HRA.** Motion seconded by Councilmember Wood. Roll Call Vote: Councilmember Reese - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - abstained, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 14-27 reaffirming, amending and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule and Provision of the Collection of the Fees

Manager Warnke noted that Resolution No. 14-27 is relative to item 7f. It authorizes individuals to keep chickens in City limits. This Resolution enacts a license fee of \$10 annually for one to six chickens, and \$20 for seven to twelve chickens. City Treasurer Oyler will send out a notice each year reminding residents to renew licenses. The fee is comparable to dog licenses. The license is for individuals to use the eggs, not for consumption of the chickens.

Councilmember Dautre is against the fee. Councilmember Holmgren asked why the City needs to charge a fee for residents to have chickens. Manager Warnke explained that the proposed ordinance contains certain requirements that individuals keeping chickens on smaller lots must meet. The City staff felt that the fee would help eliminate any problems that might arise with keeping chickens. Residents would need to come in to pay the fee and could reaffirm that they are aware of requirements and would adhere to them. Councilmember Wood expressed that the fee will limit the number of chickens and curb some of the complaints that have come up regarding chickens.

Chief Nance stated that people have the right to have chickens, but the problem comes when it infringes on others rights by the smell of chickens and letting them run loose. The fee would require residents to be educated before being issued a license and let them know the responsibilities associated with chickens.

**Motion by Councilmember Rohde to adopt Resolution No. 14-27 reaffirming, amending and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule and Provision of the Collection of those Fees.** Motion seconded by Councilmember Wood. Roll Call Vote: Mayor Pro Tempore Reese - aye, Councilmember Dautre - nay, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- f. Discussion and consideration of adopting Ordinance No. 14-08 allowing for the keeping of chickens in residential zones for the purpose of family food production

Zoning Administrator Bench noted that Ordinance No. 14-08 would allow resident to keep chickens in residential zones with the exception of R1-20 and RR-1. R1-20 and RR-1 still fall under the agricultural zones and would be able to keep chickens and not need to get a license.

**Motion by Councilmember Holmgren to adopt Ordinance No. 14-08.** Motion seconded by Councilmember Rohde. Roll Call Vote: Mayor Pro Tempore Reese - aye, Councilmember Dautre - nay, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- g. Discussion and consideration of authorizing a reconnaissance level survey of the commercial, institutional, and public buildings in the Tremonton Central Business

District (proximally 200 North; 200 East (north of Main Street)/Eastern rear property line of 100 East (south of Main Street); 300 South; and 200 West; and excluding the block bounded by 100 West/200 South/200 West/300 South). The primary focus will be on buildings located between 100 North and 100 South

Zoning Administrator Bench, Councilmember Dautre, and City Manager Warnke met with Professor Bob Young from the University of Utah last fall. Professor Young specializes in the preservation side of architecture. Professor Young suggested that a graduate student could perform the reconnaissance level survey of architecture in the downtown area for the City. Hannah Turpen, a graduate student who was previously employed at Utah Heritage Foundation to identify and document historic preservation easements at the Foundation was recommended. Ms. Turpen could do a reconnaissance level survey for the City within the bounds listed above in item 7g. Ms. Turpen would look for architecturally significant buildings and create an inventory to help identify the architectural assets within the community. The City contemplated façade grants during the SDAT process to help revitalize Main Street.

The cost to the City would be \$458 to reimburse Ms. Turpen for travel time, and storage media. Manager Warnke explained that the Council might consider reimbursing Ms. Turpen for her time in the amount of \$500 to \$1,000. Mayor Pro Tempore Reese stated that the study would be synonymous with the Council's goals for Main Street. Manager Warnke confirmed that the money would come out of the CIB grant which is a 1:1 match.

Councilmember Dautre questioned if the mural the Council has planned on the side of the museum would be considered a major alteration that would destroy the historic integrity. Manager Warnke spoke with Professor Young about the mural, and it was decided that it would not destroy the architectural significance as the wall was painted before by the Independent Order of Odd Fellows. However, buildings that have not been painted previously should probably not be painted.

Councilmember Rohde asked if the survey would limit the improvements that could be done on Main Street. Manager Warnke explained that it would essentially be an inventory. It would be the first step necessary if the Council ever chose to create a Historic District. It could help create design guidelines that the Planning Commission could follow to maintain the historic character.

Councilmember Rohde wondered if the designated area should be expanded to include more area. There are several homes close to Main Street that could have historical significance. Manager Warnke expressed that for this project it covered what was necessary.

**Motion by Councilmember Wood to set aside \$1,500 for the reconnaissance level survey for historic downtown.** Motion seconded by Councilmember



Doutre. Vote: Mayor Pro Tempore Reese – aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

8. Comments:

- a. Administration/City Manager Advice and Consent.

Manager Warnke had no Advice and Consent items.

- b. Council Reports:

**Councilmember Holmgren** met with several of the UTOPIA cities and the representatives are taking this very seriously and asking the right questions. This is one of the biggest decisions this Council will have to make. He was very impressed with the way the representatives were handling the situation.

**Councilmember Wood** noted that the Fire Department's Steak Fry was a success. It was very nice and they did a good job. The community supported them and donated time. Tremonton Youth City Council cleaned the windows at Bear River Valley Hospital Saturday at 7:00 a.m.

**Councilmember Rohde** wanted to express thanks to Tremonton Youth City Council for completing the window washing at the hospital.

**Motion by Councilmember Wood to move to Closed Session for the purpose of discussing the character, professional competence or physical or mental health of an individual and possible litigation.** Motion seconded by Councilmember Doutre. Vote: Mayor Pro Tempore Reese – aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde – aye, and Councilmember Wood - aye. Motion approved.

The Council moved into closed session at 7:42 p.m.

9. **Closed session to discuss the character, professional competence or physical or mental health of an individual and possible litigation.**

Mayor Pro Tempore Reese signed a statement in the meeting stating that the sole purpose of the closed session was to discuss the character, professional competence or physical or mental health of an individual. No ordinance, resolution, rule, regulation, contract or appointment was made during the closed session.

**Motion by Councilmember Rohde to return to open meeting.** Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde – aye, and Councilmember Wood - aye. Motion approved.

The Council returned to open session at 7:54 p.m.

10. Adjournment.

**Motion by Councilmember Wood to adjourn the meeting.** Motion seconded simultaneously by Councilmembers Doutre and Holmgren. Vote: Mayor Pro Tempore Reese – aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 7:55 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Cynthia Nelson.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Darlene S. Hess, Recorder